

**MEDICAL EXAMINING BOARD  
MINUTES  
MARCH 21, 2012**

**PRESENT:** Carolyn Bronston; LaMarr Franklin; Jude Genereaux; Sujatha Kailas, MD (arrived 8:04 a.m.); Raymond Mager, DO; Suresh Misra, MD; Gene Musser, MD; Sandra Osborn, MD; Kenneth Simons, MD; Timothy Swan, MD (arrived 8:13 a.m.); Sridhar Vasudevan, MD; Sheldon Wasserman, MD

**EXCUSED:** Rodney Erickson, MD

**STAFF:** Tom Ryan, Executive Director; Sandy Nowack, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DSPS staff

**GUESTS:** Mark Grapentine, Wisconsin Medical Society; Eric Jensen, WAPA; Jeremy Levin, RWHC; Judy Warmuth, WHA; Tim Stumm, WHN

**CALL TO ORDER**

Dr. Sheldon Wasserman, Chair, called the meeting to order at 8:00 a.m. A quorum of ten (10) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments:**

- Item 6b, under EXECUTIVE DIRECTOR MATTERS, add:
  - Updated Screening and Exams Assignments
- Item 8h – WMS ANNUAL MEETING AND RESOLUTIONS, insert additional information after page 44:
- Item CS-3 – REVIEW OF ADMINISTRATIVE WARNING, insert two additional items after page 224.
- Case Status Report – insert at the end of the agenda in closed session

Dr. Wasserman thanked DSPS staff for updating the agenda page to include the additional items.

**MOTION:** Suresh Misra moved, seconded by Kenneth Simons, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF FEBRUARY 15, 2012**

**Correction:**

- On page 5, under EXECUTIVE DIRECTOR MATTERS, in the third line, delete “anesthesiologist/pain” and insert “physical medicine and rehabilitation”

Sheldon Wasserman welcomed Dr. Sridhar Vasudevan to the Board.

**MOTION:** Sandra Osborn moved, seconded by Suresh Misra, to approve the minutes of February 15, 2012 as corrected. Motion carried unanimously.

### **PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

DOE Attorneys presented Proposed Stipulations, Final Decisions and Orders in the following disciplinary proceedings:

<b>Warren A. Olson, MD</b>	<b>11 MED 114</b>
<b>William H. Shuler, MD</b>	<b>11 MED 278</b>
<b>William J. Washington MD</b>	<b>10 MED 423</b>
<b>Raju Fatehchand, MD</b>	<b>11 MED 423</b>
<b>Gurcharan S. Randhawa, MD</b>	<b>11 MED 126</b>
<b>Nicholas Caro, MD</b>	<b>10 MED 124</b>
<b>Cindy L. Gile, PA</b>	<b>10 MED 229</b>
<b>Mirian Organ, MD</b>	<b>10 MED 368</b>
<b>Karen Butler, MD</b>	<b>11 MED 117</b>
<b>David Buchanan, MD</b>	<b>10 MED 121</b>
<b>Eugene C. Rigstad, MD</b>	<b>10 MED 211</b>
<b>Kenneth E. Sparr, MD</b>	<b>11 MED 172</b>
<b>Gregory Goetz, MD</b>	<b>11 MED 308</b>

These items will be deliberated in closed session.

### **EXECUTIVE DIRECTOR MATTERS**

#### **Resignation of Christopher Magiera, MD**

Dr. Christopher Magiera has resigned from the Medical Examining Board. Dr. Rodney Erickson has been appointed to replace Dr. Magiera.

**MOTION:** Sheldon Wasserman moved, seconded by Suresh Misra, to send a letter to Dr. Magiera thanking him for his service on the Board. Motion carried unanimously.

Dr. Timothy Swan introduced himself and gave a brief history of his background.

#### **Updated Screening and Exams Assignments**

This item was informational.

## **ITEMS FOR BOARD DISCUSSION**

### **Prescription Drug Monitoring Program (PDMP) Report**

Gene Musser presented testimony at the Pharmacy Examining Board's public hearing on the PDMP. Questions were raised regarding access to information. The Pharmacy Examining Board is in the process of rule writing. Sandra Osborn is the MEB liaison for the PDMP; Tim Swan and Sridhar Vasudevan were asked to work with Dr. Osborn on this assignment.

### **Report from the Maintenance of Licensure Workgroup**

Tom Ryan reported on the February 23, 2012 meeting of the MOL workgroup. The workgroup includes Sujatha Kailas, Raymond Mager, Kenneth Simons, and Tom Ryan. Sandy Waters from the FSMB also joined this meeting. This is a long term project.

**MOTION:** Sridhar Vasudevan moved, seconded by LaMarr Franklin, to approve Kenneth Simons to attend the FSMB meeting on the April 26, 2012 to participate in the MOL discussions and to work with the FSMB to assign pilot projects to Wisconsin. Motion carried unanimously.

The pilot projects the Board is interested in participating in are the State Board Readiness Inventory and the State Board License Renewal Process Integration. Carolyn Bronston expressed disappointment that Tom Ryan will not be attending the FSMB Annual Meeting due to travel restrictions.

### **FSMB Matters**

The FSMB Annual Meeting will be held April 26-28, 2011, in Fort Worth, Texas. Sheldon Wasserman will attend as the Board's delegate. LaMarr Franklin received a FSMB public member scholarship for this meeting. Kenneth Simons will be attending the MOL workshop.

### **Wisconsin Medical Society Annual Meeting and Resolutions**

Sandy Osborn reported on the MOL discussions from the Wisconsin Medical Society House of Delegates meeting.

**MOTION:** Sujatha Kailas moved, seconded by Kenneth Simons, to authorize Sandra Osborn to speak on behalf of the Board at the meeting of the Reference Committee of the Wisconsin Medical Society on April 20, 2012. Motion carried unanimously.

### **Review of Wis. Admin. Code Med 8**

Gene Musser updated the Board on the discussions on Med 8. The workgroup continues to work on this rule.

### **Wis Admin. Code Chapter MED 10 Update**

Sandy Nowack reported to the Board on the current status of MED 10.

### **Report from the DSPS Website Improvement Workgroup**

Tom Ryan updated the board on the website improvement efforts at DSPS. Board member comments were forwarded to DPSP staff assigned to revamp the website. The workgroup will not meet at this time as this has turned into a long term project.

### **Medical Examining Board Newsletter**

Topics for the next Newsletter should be submitted by the end of May.

### **Upcoming Outreach Opportunities**

Sandra Osborn spoke to the Aurora Healthcare Group on March 3, 2012, and will give a presentation to the Patient, Doctor and Society (PDS) class next week at the U.W. School of Medicine.

Sheldon Wasserman will speak to the graduating class at the Medical College of Wisconsin on May 3, 2012.

### **Guidelines for Meeting Procedures and Conflicts**

Sandy Nowack reviewed this information with the Board.

## **LEGISLATIVE REPORT**

### **AB 547, SB 383, SB 421 and SB450**

Tom Ryan reviewed the status of legislation with the Board.

### **Senate Bill 464/Assembly Bill 615 – Committee Testimony**

The Board noted Dr. Musser's testimony on Senate Bill 464/Assembly Bill 615.

## **SCREENING PANEL REPORT**

Jude Genereaux reported forty three (43) cases were screened. Nineteen (19) cases were opened and ten (10) ten-day letters were sent.

## **INFORMATIONAL ITEMS**

The informational items were noted.

**PUBLIC COMMENTS**

None.

**OTHER BUSINESS**

None.

**RECESS TO CLOSED SESSION**

**MOTION:** Kenneth Simons moved, seconded by Sandra Osborn, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Roll call: Carolyn Bronston-yes; LaMarr Franklin-yes; Jude Genereaux-yes; Sujatha Kailas-yes; Raymond Mager-yes; Suresh Misra-yes; Gene Musser-yes; Sandra Osborn-yes; Kenneth Simons-yes; Timothy Swan-yes; Sridhar Vasudevan-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open session recessed at 10:05 a.m.

**RECONVENE IN OPEN SESSION**

**MOTION:** Kenneth Simons moved, seconded by LaMarr Franklin, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1 p.m.

**VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION**

**MOTION:** LaMarr Franklin moved, seconded by Sandra Osborn, to reaffirm all motions made in closed session. Motion carried unanimously.

**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**WARREN A OLSON MD  
11 MED 114**

**MOTION:** Carolyn Bronston moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Warren A. Olson, MD. Motion carried unanimously.

**WILLIAM H SHULER, MD**  
**11 MED 278**

**MOTION:** Sujatha Kailas moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against William H. Shuler, MD. Motion carried unanimously.

**WILLIAM J WASHINGTON, MD**  
**10 MED 423**

**MOTION:** Kenneth Simons moved, seconded by Sandra Osborn, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against William J. Washington, MD. Motion carried unanimously.

**RAJU FATEHCHAND, MD**  
**11 MED 276**

**MOTION:** Sujatha Kailas moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Raju Fatehchand, MD. Motion carried unanimously.

**GURCHARAN S RANDHAWA, MD**  
**11 MED 126**

**MOTION:** Suresh Misra moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Gurcharan S. Randhawa, MD. Motion carried unanimously.

**NICHOLAS CARO, MD**  
**10 MED 124**

**MOTION:** Carolyn Bronston moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Nicholas Caro, MD. Motion carried unanimously.

**CINDY L GILE, PA**  
**10 MED 229**

**MOTION:** Sujatha Kailas moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Cindy L. Gile, PA. Motion carried unanimously.

**MIRIAN ORGAN, MD**  
**10 MED 368**

**MOTION:** LaMarr Franklin moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Mirian Organ, MD. Motion carried unanimously.

**KAREN BUTLER, MD**  
**11 MED 117**

**MOTION:** Carolyn Bronston moved, seconded by Kenneth Simons, to reject the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Karen Butler, MD. Motion carried unanimously.

**DAVID BUCHANAN, MD**  
**10 MED 121**

**MOTION:** Raymond Mager moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against David Buchanan, MD. Motion carried unanimously.

**EUGENE C RIGSTAD, MD**  
**10 MED 211**

**MOTION:** Sujatha Kailas moved, seconded by Sridhar Vasudevan, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Eugene C. Rigstad, MD. Motion carried unanimously.

**KENNETH E SPARR, MD  
11 MED 172**

**MOTION:** Suresh Misra moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Kenneth E. Sparr, MD. Motion carried. Sandra Osborn and Sujatha Kailas opposed.

**GREGORY GOETZ, MD  
11 MED 308**

**MOTION:** Carolyn Bronston moved, seconded by Kenneth Simons, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Gregory Goetz, MD. Motion carried unanimously.

**PROPOSED ADMINISTRATIVE WARNING(S)**

**MOTION:** Raymond Mager moved, seconded by Sandra Osborn, to issue the Administrative Warning in case **10 MED 153 against respondent J.C.H., MD.** Motion carried unanimously.

**REVIEW OF ADMINISTRATIVE WARNING**

DOE Attorney Pamela Stach, respondent's Attorney Steven Sager and the respondent, appeared before the Board.

**MOTION:** Sujatha Kailas moved, seconded by Kenneth Simons, to uphold the Administrative Warning in case **10 MED 188 against respondent E.S.J, MD.** Motion failed. Gene Musser was excused during deliberation and abstained from voting.

**MOTION:** Carolyn Bronston moved, seconded by Raymond Mager, to rescind the Administrative Warning in case **10 MED 188 against respondent E.S.J, MD.** Motion carried. Sujatha Kailas and Kenneth Simons opposed. Gene Musser was excused during deliberation and abstained from voting.

**CONSIDERATION OF COMPLAINT(S)**

**MOTION:** Carolyn Bronston moved, seconded by Sridhar Vasudevan, to find probable cause to issue a complaint in the matter of **11 MED 325.** Motion carried unanimously.



**MOTION:** Carolyn Bronston moved, seconded by Suresh Misra, to find probable cause to issue a complaint in the matter of **10 MED 299**. Motion carried. Sandra Osborn was excused during deliberation and abstained from voting.

**MOTION:** Kenneth Simons moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint in the matter of **11 MED 340**. Motion carried. Carolyn Bronston was excused during deliberation and abstained from voting.

**MOTION:** Kenneth Simons moved, seconded by Gene Musser, to find probable cause to issue a complaint in the matter of **11 MED 390**. Motion carried. Sridhar Vasudevan was excused during deliberation and abstained from voting.

**REQUEST FOR EQUIVALENCY OF ACGME APPROVED POST-GRADUATE TRAINING**

**AHMED MANSOUR ELKENANY, MD**

**MOTION:** Carolyn Bronston moved, seconded by Sandra Osborn, to grant the request from Ahmed Mansour Elkenany, MD, for equivalency of the ACGME approved post-graduate training. Motion carried 5 to 3. Kenneth Simons abstained.

**HARI KORSAPATI, MD**

**MOTION:** Sujatha Kailas moved, seconded by Timothy Swan, to deny the request from Hari Korsapati, MD, for equivalency of the ACGME approved post-graduate training. Motion carried. Sandra Osborn and Carolyn Bronston opposed. Kenneth Simons abstained.

**LUIS ANTONIO SOSA LOZANO, MD**

**MOTION:** Gene Musser moved, seconded by Sandra Osborn, to grant the request from Luis Antonio Sosa Lozano, MD, for equivalency of the ACGME approved post-graduate training. Motion carried. Kenneth Simons abstained.

**RECONSIDERATION OF REQUEST FOR EQUIVALENCY OF ACGME APPROVED POST-GRADUATE TRAINING**

**DENIS M JONES, MD**

**MOTION:** Timothy Swan moved, seconded by Sridhar Vasudevan, to deny reconsideration for equivalency of the ACGME approved post-graduate

training for Denis M. Jones, MD. Motion carried. Sujatha Kailas opposed. Kenneth Simons abstained.

**REQUEST(S) FOR WAIVER/EXTENSION OF TIME FOR CME REQUIREMENT**

**MOTION:** Carolyn Bronston moved, seconded by Kenneth Simons, to deny the request from **W.G.S., DO**, for a waiver of the CME requirement. Motion carried. Sujatha Kailas opposed. Raymond Mager abstained.

**MOTION:** Sandra Osborn moved, seconded by Gene Musser, to deny the request from **M.A.M., DO**, for an extension of time to complete the CME requirement. Motion carried. Sujatha Kailas opposed.

**MOTION:** LaMarr Franklin moved, seconded by Carolyn Bronston, to deny the request from **T.C.R., DO**, for an extension of time to complete the CME requirement. Motion carried. Sujatha Kailas opposed.

**MONITORING**

**MILAN JORDAN, MD**

**MOTION:** Raymond Mager moved, seconded by Carolyn Bronston, to grant the request from Milan Jordan, MD, for full licensure. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** Kenneth Simons moved, seconded by Suresh Misra, to close case **11 MED 430** for prosecutorial discretion (P7). Motion carried unanimously.

**MOTION:** Sujatha Kailas moved, seconded by LaMarr Franklin, to close case **11 MED 195** for no violation. Motion carried unanimously.

**MOTION:** Raymond Mager, moved, seconded Sandra Osborn, to close case **11 MED 075** for insufficient evidence. Motion carried unanimously.

**MOTION:** Suresh Misra, moved, seconded LaMarr Franklin, to close case **11 MED 110** for no violation. Motion carried unanimously.

**MOTION:** Carolyn Bronston moved, seconded by Sujatha Kailas, to close case **11 MED 213** for insufficient evidence. Motion carried unanimously.

**MOTION:** Kenneth Simons moved, seconded by Suresh Misra, to close case **09 MED 422** for insufficient evidence. Motion carried. Timothy Swan and Sridhar Vasudevan abstained.

**MOTION:** Suresh Misra moved, seconded by LaMarr Franklin, to close case **10 MED 121 against respondent T.D.W., MD**, for no violation. Motion carried unanimously.

**MOTION:** Kenneth Simons moved, seconded by Suresh Misra, to close case **10 MED 121 against respondent G.D.B., MD**, for no violation. Motion carried unanimously.

**MOTION:** Sujatha Kailas moved, seconded by Sandra Osborn, to close case **11 MED 327** for prosecutorial discretion (P1). Motion carried unanimously.

#### **RATIFY ALL LICENSES AND CERTIFICATES**

**MOTION:** Suresh Misra moved, seconded by Sujatha Kailas, to ratify all licenses and certificates as issued. Motion carried unanimously.

#### **OTHER BUSINESS**

None.

#### **ADJOURNMENT**

**MOTION:** Sujatha Kailas moved, seconded by Kenneth Simons to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:16 p.m.